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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/626,347	07/26/2000	Albert Henricus Franciscus de Heer	GDT1P001	8436
22204	7590	11/29/2005		
NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128			EXAMINER KINDRED, ALFORD W	
			ART UNIT	PAPER NUMBER
			2163	

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/626,347

Applicant(s)

DE HEER ET AL.

Examiner

Alford W. Kindred

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 and 11-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to communication: Reconsideration filed on 7/22/2005.

This action is made final.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Povilus, US# 5,740,425, in view Huang et al., US# 6,151,582.

As per claim 1, **Povilus** teaches "at least one class definition, each class definition . . . associated categories . . ." (see abstract – i.e. "defining classes of product groupings . . .") "a plurality of category definitions . . . attribute group . . ." (see col. 54, lines 46-66) "a plurality of attribute group definitions, each . . . having an associated possible value list that identifies . . ." (see col. 14, lines 57-67, whereas Povilus' teachings of "characteristics that differentiate each class . . . grouping . . .", clearly teaches group definitions having a value list that identifies values as indicated in applicant's claim language). **Povilus** does not teach "a plurality of value lists . . . of a product being classified according to the data model . . .". **Huang et al.** teaches "a plurality of value lists . . . of a product being classified according to the data model . . ." (see col. 4, lines 33-60 and col. 10, lines 39-67). It would have been obvious at the time

of the invention for one of ordinary skill in the art the tools to designate classes of product grouping in response to a data model. This gives users the advantage of processing groups of products more efficiently.

As per claim 2, this claim is rejected on grounds corresponding to arguments given above for rejected claim 1 and is similarly rejected including the following:

-- **Povilus** teaches "a plurality of possible unit lists each possible . . ." (see col. 13, lines 34-67 and col. 14, lines 1-24, whereas **Povilus'** "block . . .", is equivalent to applicant use of the term "unit").

As per claims 3-4, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-2 and are similarly rejected including the following:

--**Povilus** teach "possible value list is combined with each one . . . a normalized value" (see col. 19, lines 15-27).

As per claim 5, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

-- **Povilus** teaches attributes is associated with a data capture priority indicator that assigns priorities . . ." (see col. 14, lines 64, whereas Povilus' inheritance of block with attributes incorporate an order or priority of attributes associated with the different blocks, therefore teach attributes with a priority that assigns priorities as taught by the applicant above).

As per claim 6, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

-- **Povilus** teaches "a possible countries table specifying one or more countries that are selectable as countries for which a product is adapted for sale" (see figure 19—sheet 14 of 38 and col. 19-20, lines 57-67, and 1-30 respectively; whereas Povilus' table clearly has placeholders for variable information (i.e. countries) that are selectable with an sale element attached, as indicated by the applicant's claim language above.

As per claim 7, this claim is rejected on grounds corresponding to the arguments given above for rejected claims 1 and 6 and is similarly rejected including the following:

--**Povilus** teaches "platforms that are compatible with a specific product" (see col. 19, lines 24-67).

As per claim 8, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

--**Povilus** teaches "a plurality of manufacturer SKUs . . . SKU system . . ." (see col. 6, lines 47-67) "a customer mapping table that maps each system SKU to a customer . . ." (see col. 22, lines 20-67).

As per claim 9, this claim is rejected on grounds corresponding to the arguments given above for rejected claims 2-3 and are similarly rejected including the following:

As per claim 11, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

-- **Povilus** teaches "a category identifier associated with each one of the plurality of products . . . corresponding product" (see col. 3, lines 8-54).

As per claim 12, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

-- **Povilus** teaches "a manufacturer product description associated with each one of the . . . describing standard features of the associated product" (see col. 51, LINES 34-67).

As per claim 13, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

-- **Povilus** teaches "an image table including link to one or more images illustrating the plurality of products . . ." (see col. 26, lines 16-50).

As per claim 14, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

-- **Povilus** teaches "a marketing description for selected . . . products" (see col. 33, lines 55-67 and col. 34, lines 5-25).

As per claims 15-16, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1, and 6-7 and are similarly rejected.

As per claim 17, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

- **Povilus** teaches “a product compatibility table including platform compatibility . . .” (see col. 29, lines 45-67 and col. 30, lines 30-56).

### ***Response to Arguments***

4. Applicant's arguments filed 7/22/05 have been fully considered but they are not persuasive.

--As per applicant's arguments regarding “Huang is directed to a decision support system . . . agile supply chains . . . does not relate that all to methods or apparatus for catalog data capture . . .”, examiner disagrees and maintains that Huang supply chain teaching combined with the teachings of manufacturing database management systems and inventory control system, which includes the catalog or indexing of manufacturing data, is indicative of catalog data capture as implied in applicant's claim language..

--As per applicant's arguments regarding “Huang reference discloses providing of possible values for a feature, this provided when the user is seeking t select a particular product, and is not related, or associated to, the identification of values for an attribute of a product that is being classified according to a data structure suitable for use in a catalog . . .”, examiner maintains that the combination of Povilus' teachings of catalog data processing and Huang's decision support system in regards manufacturing database management, reads on applicant's product processing based on possible value for a features. Both Applicant's and Povilus combined Huang teaches the processing of product data based on some selected attribute/value and thus, the teachings are substantially similar.

Art Unit: 2163

--As per applicant's arguments regarding "Huang reference does not relate at all to the particular problem that is being addressed in the present invention . . .", examiner maintains that Huang's teachings of a inventory management system implies the collection and distribution of indexed/catalog data as indicated in applicant's claim language.

--As per applicant's arguments regarding "Povilus reference, but these cited sections only refer to a single SKU and does not disclose . . . the system SKU, examiner disagrees and maintains that Povilus' teachings of a SKU in regards to the product data processing, reads on applicant's claim language involving SKU data.

***Conclusion***

**5. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2163

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Alford W. Kindred', is positioned above the printed name.

Alford W. Kindred  
Patent Examiner  
Tech Ctr. 2100